

David
Powers/R10/USEPA/US
01/19/2012 11:52 AM

To: Chad Schulze, Scott Downey, MASTERSON, Kevin
cc
bcc
Subject: Fw: Regarding chemical trespass in Traingle Lake, Oregon

I'm not sure whether its ODA or ODF that would have and release the info. Hopefully, its an administrative or record keeping challenge not stonewalling.

David Powers
Regional Manager for Forests and Rangelands
USEPA Region 10, OOO
805 SW Broadway, Suite 500
Portland, OR 97205
503-326-5874
powers.david@epa.gov

----- Forwarded by David Powers/R10/USEPA/US on 01/19/2012 11:48 AM -----

From: CRAIG M PATTERSON (b) (6)
To: David Powers/R10/USEPA/US@EPA
Date: 01/19/2012 09:15 AM
Subject: RE: Regarding chemical trespass in Traingle Lake, Oregon

Good Morning David,

Thank you for forwarding my questions/concerns to Scott/Chad and Kevin. I will await their responses. Thanks again. It seems ODF is stonewalling this and it makes lots of people pretty crazy and discussed at them, for very good reason.

Regards,

Craig Patterson

> Subject: Re: Regarding chemical trespass in Traingle Lake, Oregon
> To: (b) (6)
> From: Powers.David@epamail.epa.gov
> Date: Wed, 18 Jan 2012 11:28:31 -0800
>
> Craig - Scott Downey and Chad Schulze are EPA leads for
> herbicide/pesticide use so I forwarded your questions on records to
> them. I also sent your questions to Kevin Masterson who deals with
> chemical issues for OR DEQ.
>
> I think there was a chemical use reporting bill being considered by the
> OR Legislature a few years ago that established (or would have
> established) specific chemical use reporting requirements and record
> keeping/database requirements. I seem to remember something about
> State funding issues derailing that effort.
>
> I understand your concerns about record keeping and distribution. While
> some companies have raised proprietary chemical formulation issues in
> the past I would think that general information on what chemicals were

> applied, the method and volume of chemical application, and when and
> where were the chemicals applied would be available to the public. The
> people I forwarded your e-mail to would be more knowledgeable about
> chemical record keeping and release. Dave

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> _____
> David Powers
> Regional Manager for Forests and Rangelands
> USEPA Region 10, OOO
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> Portland, OR 97205
> 503-326-5874
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> From: CRAIG M PATTERSON (b) (6)
> To: David Powers/R10/USEPA/US@EPA
> Date: 01/13/2012 06:24 AM
> Subject: Regarding chemical trespass in Traingle Lake, Oregon

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>
> Good Morning David Power,

>
> I want to ask you a question regarding keeping records in the EPA. Do
> you keep records internally or do you allow those you are regulating to
> keep their own records and count on them to provide when necessary? I
> just received a response from ODF that states, they don't keep records
> of those who apply chemicals, they count on the operator to keep those
> records? Talk about having the foxes guard the chickens and keep the
> records to boot. The whole agency of ODF is incompetent and needs to be
> shown the door. This is just too much. Here is the letter I received
> from ODF regarding my questions of the chemical trespass in Triangle
> lake. What insight can you share regarding this level of malfeasance
> from the perspective of a regulatory agency? Your perspective and
> thoughts will be greatly appreciated.

>
> Many regards.

>
> Craig Patterson

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>
> Thanks for your message regarding the ongoing Pesticide Analytical and
> Response Center (PARC) exposure investigation in the Hwy. 36/Triangle
> Lake area, and the general availability of Notification of Operation
> data and pesticide spray records.

>
> The PARC agencies working together on the investigation include the
> Oregon Departments of Forestry (ODF), Agriculture (ODA) and
> Environmental Quality (DEQ), the Oregon Health Authority (OHA), Oregon

> Health & Science University (OHSU), Oregon State University (OSU), as
> well as the U.S. Environmental Protection Agency (EPA) and the U.S.
> Agency for Toxic Substances and Disease Registry (ATSDR).
>
> As part of the investigation, PARC has asked ODF to obtain spray
> application records for eight townships (a township is generally about
> 36 square miles) in the Hwy. 36/Triangle Lake area for 2009, 2010, and
> 2011. This is an extensive amount of information, and ODF is working
> diligently to obtain it for the investigation. We expect to complete
> this information request in February.
>
> Your inquiry also addresses an interest in having all pesticide spray
> notifications and spray records available on a public-access website.
> ODF also has an interest in implementing some form of web-based access
> to our Notification of Operation database to improve efficiency and
> effectiveness. We have made some gains toward that goal, including
> securing statutory changes that allow for this approach part of our
> subscription system.
>
> At this point in time, we are in the planning and evaluation phase, and
> cannot provide a date for implementation of a web-based data access
> system, given current resources. A web-based system would only provide
> the information currently included on the notification, and would not
> address public access to application records, which are held by
> applicators and/or landowners.
>
> ODF requests the application records only as needed for a specific
> investigation involving forest practices, pesticide label provisions, or
> assisting a PARC inquiry. Application records are not received or held
> by ODF or another public body; they remain in the possession of the
> applicator and/or landowner, where the records are not subject to Oregon
> public disclosure laws.
>
> The Oregon Health Authority is the lead agency in the current exposure
> investigation, and any further questions you may have should be
> addressed directly to Karen Bishop at OHA. She can be reached at (971)
> 673-1219.
>
> Sincerely,
>
> Kevin Weeks
>
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